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RCE ✓

<b>Mail Stop RCE</b> <b>REQUEST</b> <b>FOR</b> <b>CONTINUED EXAMINATION (RCE)</b> <b>TRANSMITTAL</b>		Application Number	09/624,869
		Filing Date	August 8, 2001
		Inventor(s)	SCARBERRY
		Conf. No.	2885
		Group Art Unit	3764
		Examiner	Pham, H.
Express Mail Label No.: EL 997387426 US	Attorney Docket No.	99-31	
<p>This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.</p> <p><b>NOTE:</b> 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.</p>			

<p><b>1. Submission required under 37 C.F.R. § 1.114</b></p> <p>a. <input checked="" type="checkbox"/> Previously submitted</p> <p>i. <input checked="" type="checkbox"/> Consider the Amendment(s)/Response under 37 C.F.R. § 1.116 previously filed on <u>June 8, 2004</u> (Any unentered Amendment(s) referred to above will be entered).</p> <p>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>iii. <input type="checkbox"/> Other: _____</p> <p>b. <input type="checkbox"/> Enclosed</p> <p>i. <input type="checkbox"/> Amendment/Reply;</p> <p>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s);</p> <p>iii. <input type="checkbox"/> Information Disclosure Statement (IDS); and/or</p> <p>iv. <input type="checkbox"/> Other: _____</p>	
<p><b>2. Miscellaneous</b></p> <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)</p> <p>b. <input type="checkbox"/> Other: _____</p>	
<p><b>3. Petition For Extension of Time</b></p> <p>A Petition to Extend the life of the present application to at least to the date hereof:</p> <p>a. <input type="checkbox"/> is not necessary.</p> <p>b. <input type="checkbox"/> was previously filed on _____.</p> <p>c. <input checked="" type="checkbox"/> is being concurrently filed in this application. (The fee for this petition is itemized below)</p>	
<p><b>4. Fees</b> (Fee Transmittal Form is attached - in duplicate)</p> <p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-0558.</p> <p>i. <input checked="" type="checkbox"/> RCE fee of \$770.00 required under 37 C.F.R. § 1.17(e)</p> <p>ii. <input checked="" type="checkbox"/> Extension of time fee of \$420.00 required under 37 C.F.R. §§ 1.136 and 1.17</p> <p>iii. <input type="checkbox"/> Other: _____</p> <p>b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed, check no. _____</p>	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	August 9, 2004

<b>CERTIFICATE OF MAILING</b>	
<p>I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:</p> <p>Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>August 9, 2004</u>, Express Mail Label No. <u>EL 997387426 US</u>.</p>	
Typed Name	Michael W. Haas, Reg. No. 35,174
Signature	<i>Michael W. Haas</i>
Date	August 9, 2004

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